

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RUSSELL ZINTER *ET AL.*

Plaintiffs,

VS.

CHIEF JOSEPH SALVAGGIO *ET AL.*

Defendants.

5-18-CV-00680-JKP-RBF

ORDER

Before the Court is Plaintiffs’ Opposed Motion to Modify Confidentiality and Protective Order. *See* Dkt. No. 122. This case was referred for resolution of all nondispositive pretrial matters pursuant to Rules CV-72 and 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. *See* Dkt. No. 71. The Court has authority to enter this Order pursuant to 28 U.S.C. § 636(b)(1)(A). Plaintiffs’ Motion, Dkt. No. 122, is **DENIED**.

In seeking modification of the Protective Order, Plaintiffs fail to object to any confidentiality designation as required in the Protective Order they jointly requested. There is also good reason here to maintain the status quo (at least for now) given Plaintiffs' prior behavior that necessitated, among other things, a lengthy stay of proceedings and the language in the Protective Order Plaintiffs now seek to overturn. Altering the jointly requested protective order at this juncture in the case, in short, threatens to embolden Plaintiffs and encourage abuse or misuse of the judicial process and judicial records. Such abuse could in turn affect this ongoing litigation, as inappropriate actions in the case already have done. Finally, Plaintiffs' Motion

repeatedly confuses the different legal standards governing protective orders and sealing orders, advocating for a narrower protective order given the public's right of access. Whether and to what extent matters should be placed under seal is a separate inquiry, which the Court will make irrespective of the language in the protective order. *See June Med. Servs., L.L.C. v. Phillips*, No. 21-30001, 2022 WL 72074, at *6 (5th Cir. Jan. 7, 2022).

IT IS SO ORDERED.

SIGNED this 13th day of January, 2022.



RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE